

COMMITTEE AMENDMENT FORM

DATE: October 30, 2001

COMMITTEE: P.S.L.A.

ORDINANCE I. D: 01-O-1648

SECTION 1:

PARAGRAPH:

AMENDMENT: Subsection A to read as follows: It shall be unlawful for a licensee under this Chapter to sell on the licensed premises less than 14 ounces of malt beverage within a single transaction, unless they have a malt beverage license for consumption on the premises, or unless such sale is in conjunction with the package sale of additional malt beverage alcohol totaling not less than 14 ounces.

A SUBSTITUTE ORDINANCE

Ordinance No. 01-O-1648

**BY COUNCILMEMBER DEBI STARNES, CLETLA
WINSLOW, VERN MCCARTHY, FELICIA MOORE,
LEE MORRIS, MICHAEL J. BOND AND JULIA EMMONS**

AN ORDINANCE TO ADD A NEW SECTION 10-74 TO CHAPTER 10, ARTICLE II, DIVISION 2, TO THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA, SO AS TO PROHIBIT THE SALE OF LESS THAN A TOTAL AMOUNT OF 14 OUNCES OF ANY MALT BEVERAGE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the public safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, the City of Atlanta has interest in regulating, through the lawful exercise of its police powers, the sale of alcoholic beverages for the public health, safety and welfare; and

WHEREAS, the City of Atlanta is concerned that violations of its Code are being furthered by the sale of small amounts of malt beverages by the package; and

WHEREAS, the City of Atlanta is concerned that persons licensed to sell malt beverages by the package are breaking apart the containers of malt beverages and selling the units individually, thereby encouraging violations of the City's Code of Ordinances, which include, but are not limited to violations of Sections 10-7, 10-8, and 106-85 of the Code of Ordinances, City of Atlanta, Georgia.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

Section 1.

That the Code of Ordinances be amended to add a new Section 10-74 to Chapter 10, Article II, Division 2, which shall apply to all new licenses issued pursuant to Chapter 10 by the City after the enactment of this Ordinance, as well as to all licenses that are renewed for the calendar year 2002 and subsequent years pursuant to Chapter 10, and which shall state:

Section 10-74. Size limitations on the sales of malt beverages by the package.

- (a) It shall be unlawful for a licensee under this Chapter to sell on the licensed premises less than a total amount of 14 ounces of malt beverages, unless they have a malt beverage license for consumption on the premises.**
- (b) A violation of this Section shall be considered due cause to deny, suspend, revoke, or refuse to renew any license issued by the City pursuant to this Chapter.**

Section 2.

If it shall be found that any prior ordinance or parts of any prior ordinance are in conflict herewith, then those sections contained herein shall be deemed controlling.